



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office Of The Under Secretary

15 June, 2001

MEMORANDUM FOR SEE DISTRIBUTION

FROM: SAF/IAPX
1080 Air Force Pentagon
Washington, DC 20330-1080

SUBJECT: Letters of Offer and Acceptance (LOA) Associated with Excess Defense Articles (EDA) Transfers (IAPX - 01014) (DSCA policy memo, I-01/006332, 1 June 2001)

The attached DSCA memo regarding LOAs associated with excess defense article transfers is forwarded for policy guidance and appropriate action.

LOAs for EDA sales or services associated with EDA grant transfers (e.g. packaging, crating, handling, and transportation) shall not be submitted to DSCA prior to the approval of the release of the EDA authorization message by DSCA. The transfer of EDA equipment requires coordination with numerous agencies, congressional notification, certification from the country (Letter of Request), and finally an authorization message from DSCA listing the items that will be offered. Once these actions are completed an LOA can be submitted. This guidance will be included in the EDA section under development in the SAMM and in the revised AFMAN 16-101.

SAF/IAPX point of contact is Ms Sandy Harding, (703) 588-8974/DSN: 425-8974, sandy.harding@pentagon.af.mil.

//signed//

ERICH G. ESCHENBURG, Lt Col, USAF
Acting Chief, Security Assistance Policy Division
Deputy Under Secretary, Int'l Affairs

Attachments:

1. DSCA memo, I-01/006332, dated 1 June 2001
2. Distribution List

In reply refer to:
I-01/006332

MEMORANDUM FOR DEPUTY UNDER SECRETARY OF THE ARMY
(INTERNATIONAL AFFAIRS)
ATTN: SAUS-IA-DSZ
DEPARTMENT OF THE ARMY

DIRECTOR, NAVY INTERNATIONAL PROGRAMS
DEPARTMENT OF THE NAVY

DEPUTY UNDER SECRETARY OF THE AIR FORCE
(INTERNATIONAL AFFAIRS)
DEPARTMENT OF THE AIR FORCE

DIRECTOR, DEFENSE REUTILIZATION AND
MARKETING SERVICES,
DEFENSE LOGISTICS AGENCY

SUBJECT: Letters of Offer and Acceptance (LOA) Associated with Excess Defense
Articles (EDA) Transfers (DSCA Policy 01-13)

Effective immediately, LOAs for EDA sales or services associated with EDA grant transfers (e.g. packaging, crating, handling, and transportation) shall not be submitted to DSCA prior to release of the EDA authorization message by DSCA. We have been experiencing some problems with LOAs that are submitted in advance of this authorization. Rationale for this change is as follows:

a. The approval process for EDA transfers requires the coordination of numerous agencies and departments and most EDA transfers normally require Congressional notification before the EDA offer can be authorized. When an LOA is submitted in conjunction with the EDA transfer paperwork, an assumption is being made that the US Government is going to approve the transfer of the EDA.

b. By submitting LOAs in advance of approval of the EDA transfer, the US Government is conjecturing that the recipient country wants the services being offered via the LOA. The FMS customer should instead be submitting a Letter of Request (LOR) indicating they would like the US Government to provide these services. By allowing the recipient country to decide if it wants the equipment prior to development of the LOA, the Military Department/Defense Agency will avoid using its resources to write an LOA for EDA item that the recipient country may not accept.

c. Finally, time associated with making corrections, if required, to LOAs after Congressional notification for the EDA transfer has expired will be minimized by

submitting the LOA after DSCA has released the authorization message that lists the EDA items that have been actually been authorized for offer.

Guidance in this memorandum will be included in the EDA section being developed for the SAMM. If you have any questions regarding this matter, please feel free to contact Mr. Steve Harris at (703) 604-6611/DSN 664-6611 or Ms. Dawn Burke at (703) 601-3864/DSN 329-3864.

Sincerely,

cc: AMSAC-OL-MP

DEFENSE SECURITY COOPERATION AGENCY
Policy, Plans and Programs Directorate
Policy and Plans Division

DATE: May 29, 2001

MEMORANDUM FOR DIRECTOR, DSCA

THROUGH DEPUTY DIRECTOR, DSCA
DIRECTOR, P³
DEPUTY DIRECTOR, P³-PPD

SUBJECT: Letters of Offer and Acceptance (LOA) Associated with Excess Defense Articles (EDA) Transfers (DSCA Policy 01-13)

The attached memorandum makes the Military Departments and Defense Agencies aware that effective immediately, LOAs for EDA sales or services associated with EDA grant transfers (e.g. packaging, crating, handling, and transportation) shall not be submitted to DSCA prior to release of the EDA authorization message by DSCA. DSCA has been experiencing some problems with LOAs that are submitted in advance of this authorization. The memorandum provides the Military Departments and Defense Agencies with background information as to why this policy has been established. This guidance will be included in the EDA section being developed for the SAMM.

RECOMMENDATION: Director, DSCA sign the memorandum attached hereunder.

Steve Harris
Security Assistance Analyst
(703) 604-6611

Coordination: COMPT/FM:_____ COMPT/RM:_____

File: unclass:w:harris/word/policy memos/LOAs for EDA Cases MEMO TO SERVICES.doc

Prepared by: Steven E. Harris/PSD-PMD/604-6611

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